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7 UNITED STATES DISTRICT COURT  
8 DISTRICT OF NEVADA

9 REGINALD HOWARD,

3:04-cv-00281-HDM-VPC

10 Plaintiff,

11 vs.

12 GARY HILL,

ORDER ADOPTING  
MAGISTRATE JUDGE'S  
REPORT AND  
RECOMMENDATION

13 Defendant.  
14 \_\_\_\_\_/

15 The court has considered the report and recommendation of the  
16 United States Magistrate Judge (#14) filed on July 20, 2006, in  
17 which the Magistrate Judge recommends that this court enter an  
18 order granting defendant's motion to dismiss without prejudice  
19 (#12). No objections to the report and recommendation have been  
20 filed and the time for filing any objections has expired. The  
21 court has considered the pleadings and memoranda of the parties and  
22 other relevant matters of record and has made a review and  
23 determination in accordance with the requirements of 28 U.S.C. §  
24 636 and applicable case law, and good cause appearing, the court  
25 hereby

26 ADOPTS AND ACCEPTS the report and recommendation of the

United States Magistrate Judge (#14). Therefore, defendant's motion to dismiss (#12) is granted without prejudice.

It is so ORDERED.

Dated this 10th day of August, 2006.

A handwritten signature in black ink, appearing to read "Howard D McKibbin". The signature is written in a cursive, flowing style.

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UNITED STATES DISTRICT JUDGE